

Compensation Board Commonwealth's Attorneys

Policy: It is the policy of this office to take all measures under law to ensure that all fines, costs, penalties, forfeitures, and restitution as ordered by the Court are paid in full.

Preface: The General Assembly has directed all Commonwealth's Attorneys to develop procedures for use in their office to improve the collections of fines, costs, penalties, forfeitures, and restitution.

Purpose: Prompt payment of fines, costs, penalties, forfeitures, and restitution are ordered by the Court as a form of punishment for an offense committed, as well as a legitimate source of revenue for the locality and the Commonwealth. Improved collection efforts by this office will maintain the integrity and credibility of the court.

Effective Date: The policy and procedures are effective July 1, 2003, unless otherwise noted, and shall remain in effect unless further amended by the Commonwealth's Attorney. Any amendments to this policy and these procedures shall be communicated to and are subject to review by the Compensation Board.

Procedure:

Actions for increasing the Collection of Fines and Fees

Collection Activities:

Attorneys for the Commonwealth have options available to them regarding the handling of delinquent fines and fees accounts. Those choices are to:

- Assign those accounts to the Department of Taxation's Court Debt Collections Unit;
- Collect on those accounts using in-house staff or;
- Assign accounts to a private collection agent or;
- Use the staff attorneys of the locality; or
- Enter into an agreement with the city or county treasurer

My election of any of the options is made effective by completing and signing a Commonwealth's Attorney Election Form and mailing copies of that form to the designations indicated on the form.

Reporting Requirements:

Pursuant to §19.2-349, the Commonwealth's Attorney is required to report collection activities to the Compensation Board for the preparation of the annual Fines and Fees Report. The Code of Virginia requires my certification of the collection activities.

Frank Drew
Chairman

July 1, 2003

Compliance:

This Commonwealth's Attorney in compliance with the requirements of §19.2-349 has adopted the policies and procedures.

Signature

Date

Printed Name

Locality

July 11, 2003

MEMORANDUM

TO: Commonwealth's Attorney
FROM: Richard A. Lampman
Policy and Planning Manager

RE: Fines and Fees Policies and Procedures

Attached is a revised copy of the policies and procedures for the collection of fines and fees. The revision reflects changes made in the 2003 General Assembly session, allowing Commonwealth's Attorneys to enter into an agreement with the city or county Treasurer. We are requesting that you re-certify your understanding of your responsibility in the collection of court fines and fees as established by §19.2-349.

Please sign the revised Fines and Fees Policies and Procedures and return it with your Fines and Fees Form by August 15, 2003. You may mail it or fax it to the Compensation Board at (804) 371-0235. A fax cover has been provided for your convenience.

If you have any questions or need additional information, please call me at (804) 786-0786, ext. 215 or email me at rlampman@scb.state.va.us.

Cc: Bruce W. Haynes, Executive Secretary
James W. Matthews, Assistant Executive Secretary
Charlene M. Rollins, Lead Management Analyst
Paige Curtis, Senior Fiscal Technician, Commonwealth's Attorneys Program
Susan B. Williams, Administrator, Commonwealth's Attorneys Services Council

